

February 3, 2020

VIA ECF

Hon. Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 618
New York, NY 10007

MEMO ENDORSED

Re: Ruiz Ortega et al v. Ambrosia Bakery Café Inc. (d/b/a Bread Factory) et al
Case No. 18-cv-02207-KPF

Dear Judge Failla:

I was informed by my staff that the above matter is scheduled for a conference at 4:00 p.m. tomorrow due to the delays in getting this case resolved.

The Court should know that I have been emailing and calling my clients to get this agreement signed for over a month. Some of my clients live in Greece. I am equally upset at their delay and have emailed them the Court's Order.

I am told that I will have the agreement this week.

Tomorrow, I have an urgent appointment that must be attended with my wife at 3:30 p.m. Mr. Androphy consents to my request. I ask the Court to allow me this week to try and get this agreement signed. If I am unable, I will be making an application to be relieved as counsel.

My available dates for next week are as follows: 2/10; 2/11 (afternoon); 2/13.

Respectfully submitted,

/s/Stephen D. Hans

Stephen D. Hans (SH-0798)

cc: Joshua S. Androphy (via ECF)

The Court finds that Defendants' counsel's letter violates both the letter and the spirit of the Court's prior Order. Nevertheless, given the extenuating circumstances, the Court GRANTS Defendants' request. The Court will give counsel one week to get the signatures he requires, and ADJOURNS tomorrow's conference to February 10, 2020, at 11:00 a.m. Finally, the Court puts Defendants' counsel on notice that he should not expect the Court to grant a motion to be relieved as counsel if he is unable to secure the signatures he requires by February 10, 2020.

Dated: February 3, 2020
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE